IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1564 OF 2005
IN
WRIT PETITION NO.5901 OF 1997

Sayyed Kamarunnisa Kutuba ...Applicant

Vs.

The Special Land Acquisition Officer No.12 and Ors. ...Respondents

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Mr.S.A.Sawant with Mr. G.M. Savagare for Applicant
Mr. C.R.Sonawane, A.G.P. for Respondents

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 1ST JULY, 2005

P.C.

1. Heard Mr. Sawant in support of the application. Mr. Sonawane appears for Respondents. Civil Application seeks restoration of the Petition which came to be dismissed for default on 4th December, 2003. The Civil Application is taken out after a year and three months on 8th April, 2005. Even so Mr. Sonawane leaves it to the Court, as far as restoration is concerned, considering the grounds made out in the Civil Application.

2. In the circumstances Civil Application is granted only in terms of prayer clause (a) namely that the Petition will stand restored. As far as the ad-interim order is concerned which was passed in this Petition way back in the year 1997, the same is not

being restored. As now, only the Petition is restored. The Petition is yet not admitted. Hence, the same may be listed for admission on 25th July, 2005 before the appropriate Court. Civil Application disposed of.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)